

## THE THIRD DAY. OF THE EXAMINATION OF W. H. SMITH

J. C. Fitzhenry on the Stand  
To-day He Tells What He  
Knows

Of the Robbery of the Safe of  
Fitzhenry & Mansfield  
By Smith

The third day of the examination of W. H. Smith for the robbery of the safe of Fitzhenry & Mansfield, commenced at one o'clock this afternoon.

The first witness called for the prosecution was Mr. J. C. Fitzhenry.

Mr. Fitzhenry stated that, "my safe was robbed within the last six months and from \$1,800 to \$2,000 taken out of the safe. Said to be that amount. There was two packages that I did not know the contents of, one of these packages belonged to Tom Martin and the other to George Martin. The amount taken from the safe to my knowledge was one package containing \$400, one package containing \$440 and loose money to the amount of \$310, a small gold watch and two notes. This money was in the custody of Fitzhenry & Mansfield. The safe belonged to Fitzhenry & Mansfield. The safe was in office of Fitzhenry & Mansfield when it was robbed. The safe was robbed between Saturday night, May 23, and Monday morning, May 25, 1885, in Tombstone, Cochise County, Arizona Territory. That money and other articles was taken from our safe without my knowledge or consent. I first discovered that the safe had been robbed, Monday morning, May 25, 1885. The last time I saw the money in the safe, prior to the time that I discovered that it had been robbed was Saturday night, May 23, 1885. The safe was not broken open. The colored man named Henry Raymond was in our employ at the time that the safe was robbed. He is not in town now that I know of; I saw him last on the Sunday after he left our employ; I think he left our employ on the 4th of June. I have not seen him since the Sunday after he left our employ. He had a key to the back gate which leads to the store.

CROSS EXAMINATION.

My usual time for getting to my store in May last was 8 o'clock in the morning. Mr. Mansfield preceded me in getting to the store. The first business that I did at the store varied; there was nothing else that I know of taken from the store at the time the safe was robbed. I had been at the store about thirty minutes before I discovered that the safe had been robbed. I had seen Mr. Mansfield at the store before I discovered that the safe had been robbed. I had no conversation with him he went to breakfast. When I entered, I don't remember if I had sold anything from the time I entered the store until I discovered the robbery. I don't remember that I had made any sales on that morning before I discovered the robbery. It is a fact that for the last eight or nine months that I always opened the safe first. It is not a fact that I usually opened the safe in the morning and take out some money and put in my change drawer for change, such is only done on Monday morning. I aimed to put change in the drawer but found there was no money to put in it. I don't know that it was one half hour before I aimed to put money in drawer. I did not time myself it was about one-half hour. I kept books pertaining to my daily business in my safe. It was also my custom on entering the store to take out the books pertaining to my daily business but it varies sometimes. Yes; and sometimes No; Raymond the porter was in the store when I discovered the robbery. I would say that the one half hour was not definite; about one-half hour. I don't remember what I had been doing; when I went to my safe that morning I proceeded to open it by turning the knob of the combination. To the best of my knowledge it whirled as usual. The combination was set I think upon three numbers. I think I turned the combination the right number of times that was operative to open the safe. I then opened the safe. The safe then opened after the figures were set; I turned the handle that throws back the bolts after the combination was set on the last figure of the combination. I am not sure that I turned the handle that threw back the bolts, but I had to take the handle to open the safe. It would have been necessary if the combination was on for me to turn the handle. After I opened the safe I reached in to open the little door; the little door was closed, it had to be closed so

as to shut the outer door. The little inner door was closed, it had no knob to it. I did not say the door was opened, I said it was closed. I opened the door when I reached in; I turned the little door open with the key. I put the key into the little lock of the door. I could not swear that I turned the key but it came open; there was no indication of a noise. I don't know the name of the maker of the safe. It went through the fire and had been painted by its former owner. It was a small flat key used to open the inner door (witness produces the key to inner lock). If the door is locked it is necessary to insert the key nearly its length. I locked the safe preceding the robbery on Saturday night. To the best of my knowledge I used the key that I have now shown. After I opened the inner door of the safe, I put in my hand to pull out the money drawer; I found the pigeon hole where the money drawer was, empty. There are 2 pigeon holes drawn by the inner door. There was never but one drawer. On Saturday night prior to the robbery, the drawer had a knob to it. After I recovered from the shock, I went to hunt up Mr. Mansfield; found him on Allen street; I asked him if he knew anything about the contents of the safe; we both went to the store together, examined the safe, saw contents gone, and concluded to hunt up officers. Before I went to hunt Mansfield I did not lock the safe; I left the porter Henry Raymond in the store; I think I asked him if he saw anybody at the safe; he blushed, and said no; I asked him if there was any unusual disturbance; he called my attention to a big globe being broken; he was light complexioned; he was not a negro from his own statement, he was not a white man. Henry Raymond had been in my employ as near as I can remember now, about one year. When he blushed, I thought it rather strange, it attracted my attention. Later, on the fact that he blushed on that occasion, excited suspicion in my mind that he was connected with the robbery. It was when we heard of some of his movements that I became suspicious. I don't know whether it was before Henry Raymond went away. It was after he went away that my suspicion increased. I had some suspicion of Henry before he went away. It is a fact that Chief Coyle came to me and wanted to arrest Henry and I said no but as to the words I used I don't know. I told Coyle if Blair was guilty Henry was guilty or words to that effect, let us take Blair up first and catch Henry afterwards. I left the store Saturday night about a quarter to nine o'clock by the front door. To my knowledge I don't think I left anyone in the store; next entered the store Sunday morning about 10 o'clock. Henry went around to the back door came through the store and took the bar off of front door and let me in. I had a key to the front door; I don't think I used a key a key was in the inside. Henry unlocked it. There are two keys to the front door that I know of. Mansfield has one key and I have the other. They keys are about five inches long (one key shown in court). Henry got into the store that Sunday morning by opening back gate, and I suppose he found the key leading into the store in its usual place. I suppose as Mansfield was still in his room; the bar across the front door was of wood and is placed there when Mr. Mansfield goes into the store. The bar was used regularly only when Mansfield in his room at nights. I don't know whether Mansfield slept regularly in his room adjoining the store, as I am not there to see. There is a sleeping room adjoining the store and an adobe wall between the store and the room, the bedroom door opens into the shed. The room was used on May last as a sleeping room for Mansfield; The bedroom opens into the shed within a few feet from the door. Can't pass from the bedroom door into store without opening store door. There is no direct connection between the bedroom and the store. There is a gate leading from the shed outside. It is my understanding that when Mansfield occupies his room that it is the custom to have the bar placed across the door but I am not there to see. When the bar is across door, I think there is a possibility of throwing the bar off. I don't remember of any person being with me on that morning that Henry opened the door; I don't remember how long I remained at the store. Not long; I don't remember seeing Mr. Mansfield that morning. I hardly remember. It strikes me there were some packages to go out to one of our customers that morning. I don't remember who I sent the packages with, the circumstances I can't go into exactly; I did not deliver the packages. I don't remember if any person came to the store while I was there; I think Henry Raymond was there all the time that morning. It is my custom to go to the barber shop about that time in the morning. I don't remember if I went to the barber shop that morning. I don't remember every step I took, but I evidently got there during the day. I remember of Dennis McCarty driving me home, but don't remember if it was on that Sunday morning; I remember of riding home with McCarty on

one Sunday morning, don't remember if it was on that particular Sunday morning. I don't know that it is a fact that I rode home with Dennis McCarty and took a package home. There was one Sunday morning I rode down home with McCarty, but from where, I don't know; I remember riding with him one Sunday morning and that is all I do remember. It is my custom to go into the store about six o'clock Sunday evening with the mail. I think I was in the store Sunday evening with my family and lit the lamp; it was the lamp over the desk or close by the desk. It was an oil lamp; that was not the lamp the globe belonged to, that was broken, it was an extra globe it did not belong to any lamp in particular. I did not notice the pieces of the broken globe on the floor. I did not remain long in the store on that evening. It is my custom to walk from Gregory's to my store to read the mail if there is any; I stop a few minutes. When I last went to the store on that evening. The balance of to-day's testimony will be continued to-morrow.

### Library Entertainment.

Special attention is called to the programme in to-day's paper of the Musical and Literary entertainment to be given to night at Schaeffelin Hall for the benefit of the Public Library.

What nobler object can fifty cents be spent for than that of contributing to those around us, giving them a pleasant room to spend their evenings, where the latest papers and magazines are on file and free, and any one paying 50 cents per month can have access to the library containing many of the latest books published.

The Directors are very anxious to place upon the shelves all the latest and best books published, to do this it takes money; and while they are devoting their time and money toward this object, they ask you to assist by contributing what you can.

Please and attend the entertainment to-night. Tickets 50 cents to all parts of the house. Doors open at 7:30, entertainment commences at 8 p. m. Below we re-publish the programme:

1. Piano Solo—Grande Marche de Concert... H. A. Wallenquist, Mrs. J. Brown.
2. Song—Who Will say my Roses Red... Geo. Schenck, Miss Ellis.
3. Recitation—Miss Mamie G. Herring.
4. Vocal Duet—Reuben and Rachel... Miss Becky and Master Herbert Schenck.
5. Instrumental Duet—Zimera and Guitar... Messrs. Bauer and O'Connor.
6. Reading—Mr. John P. Clum.
7. Instrumental Duet—Mr. and Mrs. Springe.
8. Vocal Quartet—Cordelia Glee Club.
9. Recitation—Miss Wallace.
10. Song—Mrs. F. C. Hawkins.
11. Piano Solo—Rhapsodie Hongroise No. 2... F. Liszt, Miss Clark.

### Bisbee Letter.

Bisbee, August 26, 1885.

EDITOR THE TOMBSTONE.—The prospects for Bisbee never looked brighter for a long lasting camping then at the present time. For the last three months business has been very dull on account of the uncertainty of what company was going to run the principle mines of the camp; but it is stated by good authority that the management will remain in the hands of the Copper Queen Mining Company, with the same superintendent and foreman as has been in charge. Ben Williams, Superintendent, and West Howell foreman. This has been brought about by the consolidation of the Copper Queen, Atlanta and Beattie mines, and Bisbee will now be a prominent mining camp for years to come as there is a very large amount of mineral in sight, and under the present management will be made to pay, and our people are jubilant over the result of the long delayed settlement of affairs; our people will now feel more confident that we are on solid ground.

The Copper Prince company is also putting up smelting works and are nearly ready to run; they have had fire in their furnaces for two days past drying it out preparatory to firing up for business. They also have a large tank in place with sufficient elevation to supply water for the town for all purposes and will soon lay their pipes and put in fire plugs and make the good people of Bisbee glad, for we have long needed water in case of a fire, and when we have had this work completed we can sleep sounder and feel that our property is of more value. We expect in a few months to have the best mining camp in Arizona, we have the best mines.

BISBEE.

### County Court.

HON. WEBSTER STREET, County Judge A. O. WALLACE, Clerk. Information was filed by the district attorney in the following cases this morning.

Territory vs. F. A. Gray case grand jury, arraigned and given statutory time to plead.

Territory vs. William McIntyre, arraigned and plead guilty.

Territory vs. W. F. Lathrop, grand jury, arraigned and given statutory time to plead.

Information was filed in the court to-day against Andrew J. Mehan, assault with a deadly weapon, the day for arraignment being set for to-morrow.

The reading of the minutes were postponed until to-morrow to give all attorneys a chance to be present.

## SPICY LOCALS THAT ARE GATHERED BY OUR REPORTERS

For the Benefit of the Reading Public of this City  
And County

Consisting of City Local,  
Choice Territorial and  
other Scraps

Mr. Dyer, of Benson, is in this city.

Deputy Sheriff Crowley departed for Wilcox this morning.

Mr. Stump is in from his mines in the Huachuca.

Mr. E. A. Corey is in town from the Copper camp.

The best California and rancho butter at the Cash Store of Walcott & Maxson.

If you want to find a friend go to the Crystal Palace saloon, for he will be there.

Fresh eggs always on hand at the Cash Store of Walcott & Maxson.

Remember the Library social at Schaeffelin Hall this evening.

Constable Sam McClaren dropped in from Charleston last night.

Mr. George Berret, who is largely interested in the Tombstone Gas Company, is visiting this city.

The warm weather has not entirely disappeared yet for the thermometer registered 94 degrees at noon to-day.

Beale, the bright-eyed little daughter of Mr. and Mrs. B. A. Fickar, is quite sick with the measles.

The regular monthly meeting of the Ladies' Society of the Presbyterian Church will be held at the residence of Mrs. W. J. Fee on Girard hill this evening.

Next Tuesday will be appreciated by our citizens, as it will take the numerous small boys off the street. School commences on that day.

"Oh, why should the spirit of mortal be proud," when you can get a schooner of ice cold Anheuser beer drawn through the patent German Fountain for 12 1/2 cents per schooner at the Crystal Palace saloon.

How often do we hear of the sudden fatal termination of a case of croup, when a young life might have been saved by the prompt use of Ayer's Cherry Pectoral. Keep a bottle of it on hand, ready for instant use.

We always knew that "Buckie" O'Neil was a first-class newspaper man but we know now that he takes the whole bakery, for in his last issue of the Hoof and Horn, which was the second number he has published, he heads his paper Vol. 2, No. 5. We hope that his business has increased with the age of his paper; but we think the age is a little late.

Ida Lewis, the Newport Harbor heroine, mourns the loss of her former inseparable companion—a big, black Newfoundland dog. "I remember well, long ago," says one of her acquaintances, "her putting her arms around the big affectionate fellow and saying, 'Men have not been good to me, and I love dogs better.' Her matrimonial venture was most disastrous, and this dog was her only protector."

It Made a Difference.

"That's exactly what I'm going to do myself," she said as she looked up from the novel she was reading on a terryboat the other afternoon.

"What?" languidly queried Gawge.

"Elope. I'm going to let myself down by a rope ladder."

"Aw!"

"And you'll be on hand to receive me?"

"Aw!"

"And we will fly together and be married."

"Aw!"

"And return and fall upon our knees and be forgiven."

"Aw!"

"Oh, Gawge, promise me that we will do so!"

"Caw'n't do it."

"But why?"

"It will cost \$2 for a rope ladder. To flee in a hack would cost \$2 more. The preacher's fee would be \$3, and it would cost something to ride back home. Caw'n't do it, my dear. Everything must be in the regular way, even to your father tipping the clergyman."

"But, Gawge, my dear, if I should furnish the ladder?"

"Oh—aw—but that alters the case, you know! Under those circumstances no true gentleman could refuse to elope with his affianced. Begin to practice rope-ladder gymnastics at once."

### Glorious Climate.

And that was the reason that Mr. D. Jones' face was radiant with smiles this morning when a reporter of The Tombstone met him on Allen street. After a few minutes conversation the reporter learned that it was not the climate that caused the broad grin on his face, but that said smile was caused by the arrival of a little citizen at his house last night. It was a 10 pound boy. Mother and child getting along nicely.

Charleston.  
Mr. Dan Immel and wife of Tombstone were visiting Charleston yesterday.

J. B. Ayers received sixteen barrels of Budweiser beer to-day.

Ho for the hotel ball at Fort Huachuca next Monday night.

Several Bisbeeites were in town last night.

The weather was very warm here to-day.

Mr. Dan Drew returned from the east last night.

Jack Stewart has got the best taste of any saloon man in town.

"Charleston has got more pure life and respectability than any camp I ever saw," So says Charles Granville Johnston.

Three freight teams came in to-day from Fort Huachuca with provisions for Crook's army at the front.

Charles Holtbrook came in to-day, to meet a load of ore which he expects shortly.

The stud horse poker game is still one of the features of Captain Converse's saloon.

Three Sonora gentlemen arrived in Charleston to-day. They are on their way to the eastern states.

Mr. G. Rock who accompanied the remains of his wife to the east a few weeks since is expected home about the 4th of next month.

There were lots of drunken men in town last night. Some of them had better go slow or they will be jugged.

Miss Faye, our popular school teacher, will arrive home in time to open the schools on the 7th proximo.

Jeff Vickerson passed through here to-day with thirty-two pack mules, loaded with ore, from the Tavoicohi mine, Sonora, en route to Fairbank, from there he will ship it to the Socorro smelter.

Mr. J. Wellisch, formerly of Wellisch Brothers, will return to this place in about one week, from San Francisco where he has been to purchase his fall stock of goods. He will keep at his store a full line of dry and fancy goods.

The other evening Mr. Joe Tibet and his partner had some business to transact in Tombstone, and as Joe claimed to be a superior horseman, his partner gave way and let him go. Joe started out in good spirits, but soon lost his road and travelled seven miles across the country through the sage brush hunting for Charleston.

### Communited.

EDITOR TOMBSTONE.—Last evening, after dark, a young lady of rather large proportions entered the law office of Charles Granville Johnston followed by a Chinaman. The lady held in her hand and in a very close proximity to the Chinaman's nose a huge black-snake (horse whip) the excitement created some attention when Constable Sam McClaren hove in sight and possibly was the cause of saving a scene. The lady asked the officer how much it would cost to whip a Chinaman when the officer admonished her to desist and not violate the law. Praise all for the officer.—Citizien.

### OFFSHOOTS.

Good linen shirts \$1.25 at Meyers.

\$5 pants for \$4 at J. Meyers & Bro.

Overalls 75 cents per pair at Meyers.

Flannel underwear for cost at Meyers.

Tea Kettle whiskey at Rafferty's saloon.

Shoes for your own price at J. Meyers & Bro.

For genuine Tea Kettle whiskey go to Capt. Rafferty's.

A sole leather trunk given away with every purchase at J. Meyers & Bro.

All goods below cost at J. Meyers & Bro.

Allen and Fifth streets.

Full stock half boots for \$4 at J. Meyers & Bro.

Bro.

### A New Departure.

Mr. A. D. Walsh, the oldest restaurant man in this city, and the first to start a regular meal cooked to order, at the old established Can Can restaurant, has just returned from a trip to San Francisco, and while there he secured the services of Ben Wartman and Harry Woodward, cook and steward of the celebrated "Pioneer restaurant" of that city, and he will in a few days depart from the old method of charging so much a meal and run a bill of fare house. Every article with its price carried out, will be printed on a bill of fare, and you get what you want, and pay for what you get. As Mr. Wartman is undoubtedly the best cook in this territory, this new departure of Mr. Walsh's will undoubtedly make the Can Can the most popular restaurant in this city.